

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JACOB DAVID WOOLERY,
Plaintiff,
v.
SHASTA COUNTY JAIL, et al.,
Defendants.

No. 2:21-cv-0166 DB P

ORDER

Plaintiff, a county prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims defendants failed to properly consider his grievances, refused to give him a parole form, and failed to provide adequate dental treatment.

Plaintiff has not paid the filing fee or filed an application to proceed in forma pauperis. In order to proceed with this action, plaintiff must pay the required filing fee of \$350.00 plus the \$52.00 administrative fee or be granted leave to proceed in forma pauperis. Plaintiff will be given thirty days leave to pay the filing fee in full or submit a properly completed application to proceed in forma pauperis.

Plaintiff is cautioned that the in forma pauperis application form includes a section that must be completed by a prison official, and the form must be accompanied by a certified copy of plaintiff's prison trust account statement for the six-month period immediately preceding the filing of this action.

1 Plaintiff has also filed a motion for the appointment of counsel. (ECF No. 6.) However,
2 the motion does not contain plaintiff's signature. Federal Rule of Civil Procedure 11(a) and
3 Local Rule 131(b) require that all pleadings and non-evidentiary documents to be signed by the
4 attorney or the party if that party is proceeding without counsel. Thus, the court is unable to
5 consider plaintiff's motion to appoint counsel unless he signs and refiles the motion. The court
6 will strike the motion without prejudice to plaintiff refiling the motion.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Plaintiff shall submit, within thirty days from the date of this order, either the \$350.00
9 filing fee plus the \$52.00 administrative fee or a properly completed application to proceed in
10 forma pauperis on the form provided with this order; plaintiff is cautioned that failure to comply
11 with this order or seek an extension of time to do so will result in dismissal of this action without
12 prejudice; and

13 2. The Clerk of the Court is directed to send plaintiff an Application to Proceed In Forma
14 Pauperis By a Prisoner for use in a civil rights action.

15 4. Plaintiff's motion to appoint counsel (ECF No. 6) is stricken without prejudice to
16 refiling a signed copy of the motion.

17 Dated: April 24, 2021

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DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DB:12
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